

**CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE
ON DISARMAMENT**

ENDC/PV.294
16 March 1967
ENGLISH

FINAL VERBATIM RECORD OF THE TWO HUNDRED AND NINETY-FOURTH MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 16 March 1967, at 10.30 a.m.

Chairman:

Mr. P. Winkler

(Czechoslovakia)

PRESENT AT THE TABLE

Brazil:

Mr. A. F. AZEREDO da SILVEIRA
Mr. D. SILVEIRA da MOTA
Mr. A. da COSTA GUIMARAES
Mr. S. de QUEIROZ DUARTE

Bulgaria:

Mr. K. CHRISTOV
Mr. B. KONSTANTINOV
Mr. T. DAMIANOV
Mr. D. KOSTOV

Burma:

U MAUNG MAUNG
U KYAW MIN

Canada:

Mr. E. L. M. BURNS
Mr. S. F. RAE
Mr. C. J. WEBSTER
Mr. C. J. MARSHALL

Czechoslovakia:

Mr. P. WINKLER
Mr. T. LAHODA
Mr. V. VAJNAR

Ethiopia:

Mr. A. ZELLEKE
Mr. B. ASSFAW

India:

Mr. V. C. TRIVEDI
Mr. K. P. LUKOSE
Mr. K. P. JAIN

Italy:

Mr. F. CAVALLETTI
Mr. G. P. TOZZOLI
Mr. E. FRANCO
Mr. F. SORO

Mexico:

Mr. A. GARCIA ROBLES
Mr. M. TELLO MACIAS

Nigeria:

Alhaji SULE KOLO

Mr. B. O. TONWE

Poland:

Mr. M. BLUSZTAJN

Mr. J. GOLDBLAT

Mr. E. STANIEWSKI

Romania:

Mr. N. ECCOBESCO

Mr. C. IONESCO

Mr. C. UNGUREANU

Mr. A. COROIANU

Sweden:

Mrs. A. MYRDAL

Mr. A. EDELSTAM

Mr. T. WULFF

Union of Soviet Socialist
Republics:

Mr. A. A. ROSCHCHIN

Mr. O. A. GRINEVSKY

Mr. I. I. CHEPROV

Mr. V. B. TOULINOV

United Arab Republic:

Mr. H. KHALIL

Mr. A. OSMAN

Mr. A. A. SALAM

Mr. M. SHAKER

United Kingdom:

Mr. B. J. GARNETT

Mr. R. I. T. CROMARTIE

Mr. M. R. MORLAND

United States of America:

Mr. G. BUNN

Mr. C. G. BREAN

Mr. C. GLEYSTEN

Mr. J. A. PRESEL

Special Representative of the
Secretary-General:

Mr. D. PROTITCH

Deputy Special Representative
of the Secretary-General:

Mr. W. EPSTEIN

1. The CHAIRMAN (Czechoslovakia): I declare open the 294th plenary meeting of the Conference of the Eighteen-Nation Committee on Disarmament.

2. Mr. KHALILAF (United Arab Republic) (translation from French):

The agenda of the present session contains a number of important disarmament questions, to which delegation expects to revert later in our work. Since attention is being concentrated for the time on the question of the treaty on the non-proliferation of nuclear weapons, I shall, if I may, speak about that today.

3. The mandate entrusted to us again by the United Nations urgently to conclude a treaty on the non-proliferation of nuclear weapons (A/RES/2153/(XXI)/Rev.1; ENDC/185) imposes on us all, collectively and individually, a heavy responsibility before history. It is for history to pass judgment -- and how severe that will be, alas! -- on the nuclear arms race which has been going on before our eyes for more than thirty years; but it is for us, at the crossroads where we stand today, to make this choice that is so vital to the very existence of mankind: either the world finally sets out to propagate the nuclear evil, with all the dangers and risks that entails, or it decides immediately and resolutely to halt and to reduce and eliminate the danger of nuclear suicide.

4. As the Committee knows, ever since the United Nations adopted its resolution on non-proliferation in 1959 (A/RES/1380 (XIV)) -- that is, long before the problem of dissemination assumed its present proportions -- the United Arab Republic has taken a categorical stand in favour of the non-proliferation of nuclear weapons as a measure which could and should help substantially towards reducing the danger of the nuclear threat. In this regard I venture to remark that my country's efforts to solve this problem constructively have been made in all international bodies and in many countries: both in New York and in Geneva in the United Nations (ENDC/144, p.27); and in Belgrade and in Cairo at the Conferences of the non-aligned countries.

5. By way of illustration, it is sufficient to recall that the General Assembly adopted at its last session resolution 2149 (XXI) (ENDC/185) -- a most important and almost decisive resolution -- on the renunciation by States of any actions which might hamper the conclusion of an agreement on the non-proliferation of nuclear weapons. We are happy to note that that resolution was prompted to a large extent by an idea put forward in this regard by the delegation of the United Arab Republic at the meeting of the Conference of the Eighteen-Nation Committee in Geneva on

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13 August 1964 (ENDC/PV.207). This idea was subsequently taken up by the Conference of Non-Aligned Countries held in Cairo in October 1964 (A/5763, 5975), and was embodied two years later in the General Assembly resolution which I have just mentioned.

6. Many other delegations have not failed and will not fail, here or elsewhere, to make their valuable contribution to the solution of this vital problem, thus bringing us closer to the aim which we are all pursuing here. Already, through the stream of debates and discussions which have taken place since last year, we have been able to dispel misunderstandings, clear up confusions and overcome serious obstacles. In short, the treaty has made considerable progress.

7. The phase upon which we are about to enter is a true phase of negotiations which, in accordance with the decision of the General Assembly, must take place within this Committee. We should all like these negotiations to be free and open, because we want to be fruitful. Each of us must make his contribution and do his utmost to reconcile his own interests with the common interest. By the nature of things, our debates and our dialogue concerning certain important aspects of the subject we are discussing must take place between nuclear and non-nuclear; between aligned and non-aligned countries. It is undeniable that in regard to the treaty the non-aligned and non-nuclear countries have equitable claims to put forward which must be taken into account in our negotiations.

8. But representatives will agree with me that our common cause will best be served if we counter from the outset the tendency to represent our debates as a mere indecisive duel between nuclear or non-nuclear aligned countries and non-nuclear non-aligned countries. We must likewise counter the tendency to represent these debates as nothing but a struggle between certain regional interests and the general interest of the international community; which is being deliberately sacrificed to the former. This indecisive duel and this blind struggle can and must be avoided at all costs if we wish to save the treaty from certain failure either now or in the future. That is why a spirit of mutual understanding and collaboration must prevail among us. In other words, there must be a common desire, a common will, to make this treaty an instrument of progress in international life. But how is that to be achieved?

9. Fortunately we have some useful and effective guidelines. Above all, we have resolution 2028 (XX) (ENDC/161), which lays down in broad outline the form and content of the non-proliferation treaty, and we have the memoranda submitted by the eight non-aligned delegations (ENDC/158, 178). Basing itself on the letter and

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on the spirit of that important resolution of the General Assembly, my delegation endeavoured in its statement of 3 March 1966 (ENDC/PV.245, p.7) to specify five features which we think the treaty should possess.

10. These features may be summed up as follows: the treaty must be able to stop proliferation completely and finally; it must be effective, viable and lasting, clear and precise. In other words, it must be given concrete reality and sufficient vitality. To our knowledge, no one has questioned the value of these features. Indeed, on the contrary we find them supported in one way or another by various delegations here present.

11. I have ventured to refer to these features because at this stage in our negotiations they can be extremely useful when we settle the stipulations and provisions that a genuine non-proliferation treaty should contain, and the wording appropriate to these. To disregard these features, or even some of them, might make the treaty either meaningless or so anaemic that it would die -- slowly perhaps, but surely.

12. In neither case could the delegation of the United Arab Republic associate itself with such an undertaking. In our view the treaty will be made real if its provisions can change the present state of the risks, dangers and hazards of the proliferation of nuclear weapons. We all know that at the present time there are risks of proliferation, and that even the voluntary and precarious embargo practised at present is liable to break down at any moment. Therefore the treaty, in its final wording, must considerably improve this state of affairs and constitute a sounder basis for stopping the proliferation of nuclear weapons. A treaty which did not pass this test would be merely a mirage with nothing real about it.

13. In the opinion of the delegation of the United Arab Republic, a treaty possessing this reality must reflect in its provisions the following principles:

(a) As has been unanimously agreed, the provisions of the treaty must be so drafted as to leave no loophole of any kind.

14. My delegation notes with satisfaction this year a growing tendency to respect this principle more strictly; and we hope that all the serious and unacceptable loopholes of the previous texts will finally disappear. Among those loopholes let me merely mention once more that which might result, not from governments, but from individuals, companies, or private, public or semi-public undertakings or bodies engaged in nuclear activities. A treaty which left the risk of such a loophole would not much alter the dangers of the present situation.

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(b) The treaty must contain provisions clearly stipulating compulsory and uniform application of the single system of safeguards of the International Atomic Energy Agency to all non-nuclear States parties to the treaty. Moreover, the control system must be extended to the transfer of nuclear material and to all nuclear activities, past and present.

15. In such a treaty the only inspection system acceptable in this respect is compulsory and not voluntary, international and not regional, effective and not fictitious.

(c) In order that the treaty may achieve a real advance over the present situation in a field so dangerous to peace, it must constitute an effective and permanent brake on the dissemination of nuclear weapons.

16. That is why we support the principle of the indefinite duration of the treaty. However, that principle will be weakened if each party is allowed discretionary and too absolute power to withdraw from the treaty if it considers that its higher interests are threatened. In our view repudiation of such a treaty must depend on a non-fulfilment of its obligations agreed on by either nuclear or non-nuclear contracting Powers, or on an act of dissemination committed by a third party.

17. Furthermore, the treaty must provide that any case of violation shall be referred to the competent organs of the United Nations, which is held to be responsible for international peace and security.

18. Provisions which took account of all these considerations would represent a considerable advance over the present situation because they would contribute to the stability of the treaty and obviate any facile temptation to set the world going along the disastrous path of the nuclear arms race through a rash and irresponsible act by any State. Such an act might well set off a chain reaction in many other States, thus inciting them to free themselves in their turn from the treaty even if perhaps they did not wish to do so. There would then be a political escalation towards successive nuclear claims which might profoundly affect the treaty.

19. As you see, all the provisions which we have just advocated are aimed at enabling the treaty really and effectively to bar the way to the proliferation of nuclear weapons. But the treaty must also be made vital, so that it can yield its natural fruit and at the same time fulfil the desire of the General Assembly to see it mark a step towards general disarmament, and nuclear disarmament in particular.

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In other words, we must not allow the treaty to be fragile, vulnerable, unsteady or likely -- even from the state -- to founder at the slightest political storm.

20. To this end, in our view, we must include in two provisions as a sort of built-in insurance guaranteeing it a reasonable and necessary durability. I should like to say a few words about those two provisions.

21. The first concerns the link between the treaty and nuclear disarmament in general, and the balance which must be achieved between the obligations of the nuclear and of the non-nuclear parties to the treaty. Opinions may differ on the form and scope of the means of meeting this need. Very interesting and fruitful proposals have been made both here and in New York by the delegations of the non-aligned countries. We are always prepared to discuss in our Committee any specific nuclear disarmament measure which might be included in, accompany or follow a treaty on non-proliferation.

22. In any event, one point seems to have been already settled. The need to embody in the treaty the principle of the responsibility of the nuclear countries in respect of nuclear disarmament is now recognized. I venture to recall on this occasion what I said in the statement I made in this Committee on 3 March 1966:

"The non-nuclear countries will in law renounce their right to nuclear weapons, but nuclear stockpiles and the threat of a nuclear confrontation will in fact continue to exist indefinitely, even if one or all of the foregoing proposals are adopted." (ENDC/PV.245, p.14)

These proposals related to the different nuclear disarmament measures which had been proposed by various delegations of the non-aligned countries. I continue the quotation:

"This de facto situation could always constitute an incitement to manufacture or acquire nuclear weapons. To diminish this risk still further it will be necessary, pending the complete elimination by radical measures of nuclear stockpiles and the nuclear threat, to include in the treaty a formal and definite indication of what the nuclear Powers propose to do with the existing nuclear armament." (ibid.)

23. In my delegation's view it has always been and still is necessary that the treaty should contain a separate article under which the nuclear Powers would assume a legal obligation in respect of nuclear disarmament. My delegation notes with satisfaction that the idea of including in the treaty special mention of the responsibility of the nuclear Powers has since gained ground. That is how we understand the following statement made by Lord Chalfont at our meeting on 23 February:

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"This is not to suggest that a non-proliferation treaty can ignore the responsibilities of the nuclear Powers in this respect. Its drafting must clearly reflect their intention to move rapidly towards agreement on measures to halt and reverse what has been expressively called 'vertical proliferation'; and its terms must provide the means of redress for the non-nuclear Powers if the nuclear States are unreasonably slow in translating their intentions into action." (ENDC/PV.288, para.10)

24. The statement by Mr. Paul Martin, Secretary of State for External Affairs of Canada, which was read out by Mr. Burns at our meeting on 28 February, is explicit in this respect:

"It is neither unnatural nor unreasonable that countries forgoing their option to produce nuclear weapons should wish to ensure that their act of self-denial should in turn lead the nuclear weapon Powers to undertake tangible steps to reduce and eliminate their vast stockpiles of nuclear weapons and delivery vehicles. We are therefore of the opinion that nuclear-weapons States, signatories to a treaty should be party to a clear and compelling declaration of intent to embark on the process of nuclear arms control."

(ENDC/PV.289, para. 48)

25. So far as the United Arab Republic is concerned, we shall urge that this mention of the responsibility of the nuclear Powers, the content of which has still to be determined, be embodied not in the preamble to the treaty but in a separate article, so as to give it its full legal effect and that incontestably compelling character of which Mr. Paul Martin spoke. My delegation will in due course submit to the Committee a draft article on this subject.

26. A treaty which did not contain such an article would be an uneven and unbalanced treaty, perpetuating the monopoly of the nuclear Powers and preserving indefinitely the division of the world into nuclear States and non-nuclear States, thus strangely recalling other treaties of the same kind which at a certain phase of history held vast areas of the world in bondage. All this would be far from the requirements of modern international society based on the equality of States and peoples and built up on unquestionable solidarity.

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27. I now come to the second provision concerning the viability of the treaty which in my delegation's views should be included in the treaty. This provision was expressly mentioned in paragraph 4 of the operative part of the General Assembly resolution which --

"Requests the Conference of the Eighteen-Nation Committee on Disarmament to consider urgently the proposal that the nuclear-weapon Powers should give an assurance that they will not use, or threaten to use, nuclear weapons against non-nuclear-weapon States without nuclear weapons on their territories ..." (A/RES/2153 (XXI)/Rev.1; ENDC/185).

28. The usefulness, indeed the legal and moral necessity, of a text of this nature is obvious. Without any doubt my delegation rejects any provision in the treaty or elsewhere that would hamper our independence or prejudice our position as a non-aligned country; but in fact it is inconceivable that the non-nuclear States which under the treaty would renounce nuclear weapons would quite simply agree by the same act to reserve to nuclear Powers the privilege of threatening them or attacking them with those same weapons.

29. Moreover, the non-nuclear States which by virtue of the treaty would legally renounce nuclear weapons would have greater interest in respecting and maintaining a treaty if it contained an obligation incumbent upon the nuclear Powers not to use or threaten to use nuclear weapons against non-nuclear States. On the other hand, a non-proliferation treaty which excluded the obligation of the nuclear Powers not to use or threaten to use nuclear weapons against non-nuclear States would not only "enshrine" the monopoly of nuclear attack of the nuclear Powers but would also -- and this is a serious matter -- increase the striking power of the existing nuclear members. This would in no way correspond either to the spirit or to the purpose of a non-proliferation treaty.

30. That is why my delegation urges that an appropriate text on this subject should be included in the treaty and that the nuclear Powers should have a legal and moral obligation to respect it.

31. I should now like to deal with a further problem relating to the effect which a treaty on the non-proliferation of nuclear weapons would have on the development of atomic energy for peaceful purposes. For the solution of this problem we propose three principal rules:

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- (a) A non-proliferation treaty must not preserve in the hands of the nuclear Powers the monopoly of the development of atomic energy for exclusively peaceful purposes;
- (b) A non-proliferation treaty must not, broadly speaking, constitute an obstacle to such development of nuclear energy for exclusively peaceful purposes as the non-nuclear countries would wish to carry out;
- (c) The development of atomic energy for peaceful purposes must not in any way be an excuse or a device for creating loopholes for the proliferation of nuclear weapons.

The non-proliferation treaty must reflect these three considerations.

32. In regard to the use of nuclear explosives for peaceful purposes, the delegation of the United Arab Republic proposes that this question be settled in the following manner. The non-proliferation treaty must --

- (a) Empower the International Atomic Energy Agency to deal with this question in order to ensure, under its control and on a non-discriminatory and objective basis, the use of nuclear explosives for the development of the non-nuclear States;
- (b) Require the nuclear States to supply these explosives without political conditions to non-nuclear States which request them and to do so through the Vienna Agency.

33. Since the non-nuclear countries are not always sure that their affairs will be as successful as the Aswan High Dam, it is natural that they should prefer not to incur any risk in regard to the satisfaction of their nuclear needs for peaceful purposes.

34. I should like to say a few words about what has been called "spin-off" -- that is, the immediate technical advantage in the civil field that could be obtained during the implementation of a military programme by a nuclear Power. My delegation feels that, even if military programmes gave rise to such an advantage, that would not be sufficient to justify its mention in any form in a treaty on the non-proliferation of nuclear weapons, for the starting-point of such a mention would rest on an implicit and gratuitous blessing by us of the military nuclear programmes which the treaty is intended to help to eliminate. The only concern we should have in regard to these military nuclear programmes is purely and simply to abolish them and to transfer the resources assigned to them to civil and practical fields.

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35. Another point which my delegation would like to see included in the treaty is paragraph (e) of the operative part of General Assembly resolution 2028 (XX) (ENDC/161) concerning denuclearized zones.

36. In conclusion, I wish to reserve my delegation's right to revert to the aspects of the treaty which I have touched upon in this intervention, and to other aspects which I have not yet mentioned. We welcome the possibility of the submission of a new draft treaty in the near future, but reserve the right to express our point of view on that occasion.

The Conference decided to issue the following communiqué:

"The Conference of the Eighteen-Nation Committee on Disarmament today held its 294th meeting in the Palais des Nations, Geneva, under the Chairmanship of H.E. Ambassador Pavel Winkler, representative of Czechoslovakia.

"A statement was made by the representative of the United Arab Republic.

"The next meeting of the Conference will be held on Tuesday, 21 March 1967, at 10.30 a.m."

The meeting rose at 11.15 a.m.